

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: RANBAXY GENERIC DRUG
APPLICATION ANTITRUST
LITIGATION

MDL No. 2878

THIS DOCUMENT RELATES TO:

All Direct Purchaser Actions

Master File No.
19-md-02878-NMG

**DIRECT PURCHASER PLAINTIFFS' MOTION FOR FINAL APPROVAL OF
PROPOSED SETTLEMENT, APPROVAL OF PROPOSED PLAN OF
ALLOCATION, AND ORDER OF DISMISSAL WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 23(e), plaintiffs Meijer, Inc. and Meijer Distribution, Inc. ("Plaintiffs") on behalf of themselves and the classes of direct purchasers previously certified by this Court (the "Direct Purchaser Classes" or "Classes"), move for entry of an Order:

1. Finding that the notice of the settlement to the direct purchaser class satisfies due process;
2. Finding, pursuant to Rule 23 of the Federal Rules of Civil Procedure, that the Settlement Agreement between Plaintiffs and Ranbaxy, Inc. and Sun Pharmaceutical Industries Limited (collectively, "Defendants" or "Ranbaxy"),¹ dated April 8, 2022,² is in all respects fair, reasonable, and adequate to class members;
3. Dismissing with prejudice all claims of the Direct Purchaser Classes against Defendants as described in the Settlement Agreement;
4. Approving the proposed plan of allocation for the direct purchaser classes;³ and

¹ Sun acquired Ranbaxy in 2015 and thereby became responsible for Ranbaxy's liabilities.

² See Settlement Agreement, Exhibit 1 to the Decl. of Thomas M. Sobol in Supp. of Direct Purchaser Class Pls.' Am. Mot. for Prelim. Approval of Settlement, Approval of Form & Manner of Notice to the Class, Appointment of Claims Administrator & Escrow Agent & Setting Final Settlement Schedule & Date for Fairness Hr'g ("Sobol Decl."), ECF No. 590-1.

³ Sobol Decl. Ex. 5, ECF No. 590-5.

5. Entering final judgment and ordering dismissal with prejudice.

In support of this motion, the direct purchasers rely upon the accompanying Memorandum of Law, Declaration of Co-Lead Counsel, Thomas M. Sobol, and Declaration of Amy Fringer Regarding Notice of Settlement to the Direct Purchaser Class.

The direct purchasers also submit a proposed order with this motion.

Dated: June 27, 2022

Respectfully submitted,

/s/ Thomas M. Sobol

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CERTIFICATE OF SERVICE

I, Thomas M. Sobol, certify that, on this date, the foregoing document was filed electronically via the Court's CM/ECF system, which will send notice of the filing to all counsel of record, and parties may access the filing through the Court's system.

Dated: June 27, 2022

/s/ Thomas M. Sobol
Thomas M. Sobol